

Supreme Court of the
United States

October Term, 2004

HEARING LIST

For the Session Beginning
March 21, 2005

**THE JUSTICES AND THE JUDICIAL CIRCUITS
TO WHICH THEY ARE ASSIGNED**

HON. WILLIAM H. REHNQUIST, Chief Justice, Fourth,
District of Columbia and Federal Circuits.

HON. JOHN PAUL STEVENS, Associate Justice, Sixth
and Seventh Circuits.

HON. SANDRA DAY O'CONNOR, Associate Justice, Ninth
Circuit.

HON. ANTONIN SCALIA, Associate Justice, Fifth Circuit.

HON. ANTHONY M. KENNEDY, Associate Justice, Elev-
enth Circuit.

HON. DAVID H. SOUTER, Associate Justice, First and
Third Circuits.

HON. CLARENCE THOMAS, Associate Justice, Eighth
Circuit.

HON. RUTH BADER GINSBURG, Associate Justice, Sec-
ond Circuit.

HON. STEPHEN BREYER, Associate Justice, Tenth
Circuit.

OFFICERS OF THE COURT

WILLIAM K. SUTER, Clerk.

FRANK D. WAGNER, Reporter of Decisions.

PAMELA TALKIN, Marshal.

JUDITH A. GASKELL, Librarian.

NOTICE TO COUNSEL

1. The Clerk timely informs counsel as to the day counsel must be present for oral argument. The Court convenes at 10 a.m. and each case is usually heard on the date assigned.

2. Counsel scheduled to argue must report to the Lawyers' Lounge between 9:00 and 9:15 a.m. on the day assigned for argument. The Clerk will brief you at that time and provide assistance. Identification cards will be issued to the attorneys authorized to occupy seats at argument tables. Counsel arguing cases *should not* introduce themselves nor introduce co-counsel to the Court at the time of argument. Members of the Court should be addressed by their proper titles—"Chief Justice" or "Justice," as the case may be—and not as "judge."

3. Counsel are expected to take note of time limitations and inquiry should not be made of the Court as to the amount of time remaining. A white light will appear when five minutes remain and a red light when the time has expired. When the Court permits a division of time for argument, the use of more than the agreed time by one attorney does not extend the total time allotted. Counsel should conclude argument promptly when the red light appears unless responding to a question from the Court.

4. During argument counsel should at all times speak into the microphone so that the Justices may hear them and that a clear tape recording can be made. Counsel should also avoid having notes or books touch the microphone since this seriously interferes with the recording process.

5. Counsel in cases to be argued in the afternoon should assemble at the Clerk's desk in the Courtroom when the noon recess begins. An escort will arrange expedited service in the public cafeteria located in the Court building.

6. Appropriate attire for counsel is conservative business dress. If formal attire is worn, it should conform with custom.

WILLIAM K. SUTER, *Clerk.*

HEARING LIST

Monday, March 21, 2005

No. 04-278. *Town of Castle Rock, Colorado v. Jessica Gonzales, Individually and as Next Best Friend of Her Deceased Minor Children, Rebecca Gonzales, Katheryn Gonzales, and Leslie Gonzales.*

Certiorari to the C. A. 10th Circuit.

For petitioner: John C. Eastman, Orange, Cal.; and John P. Elwood, Assistant to the Solicitor General, Department of Justice, Washington, D. C. (for United States, as *amicus curiae*.)

For respondents: Brian J. Reichel, Broomfield, Colo.
(1 hour for argument.)

No. 03-9877. *Jon B. Cutter, et al. v. Reginald Wilkinson, Director, Ohio Department of Rehabilitation and Correction, et al.*

Certiorari to the C. A. 6th Circuit.

For respondent United States, supporting petitioners: Paul D. Clement, Acting Solicitor General, Department of Justice, Washington, D. C.

For petitioners: David Goldberger, Columbus, Ohio.

For respondent Wilkinson: Douglas R. Cole, State Solicitor, Columbus, Ohio.

(1 hour for argument.)

Tuesday, March 22, 2005

No. 03-1488. *Ulysses Tory, et al. v. Johnnie L. Cochran, Jr.*

Certiorari to the C. A. California, 2nd Appellate District.

For petitioners: Erwin Chemerinsky, Durham, N. C.

For respondent: Jonathan B. Cole, Sherman Oaks, Cal.
(1 hour for argument.)

No. 04-5286. *Michael Donald Dodd v. United States.*

Certiorari to the C. A. 11th Circuit.

For petitioner: Janice L. Bergmann, Assistant Federal Public Defender, Fort Lauderdale, Fla.

For respondent: James A. Feldman, Assistant to the Solicitor General, Department of Justice, Washington, D. C.

(1 hour for argument.)

Wednesday, March 23, 2005

No Arguments.

Monday, March 28, 2005

No. 04–340. *San Remo Hotel, L. P., et al. v. City and County of San Francisco, California, et al.*

Certiorari to the C. A. 9th Circuit.

For petitioners: Paul Utrecht, San Francisco, Cal.

For respondents: Seth P. Waxman, Washington, D. C.

(1 hour for argument.)

No. 04–5928. *Jose Ernesto Medellin v. Doug Dretke, Director, Texas Department of Criminal Justice, Correctional Institutions Division.*

Certiorari to the C. A. 5th Circuit.

For petitioner: Donald F. Donovan, New York, N. Y.

For respondent: R. Ted Cruz, Solicitor General, Austin, Tex.; and Michael R. Dreeben, Deputy Solicitor General, Department of Justice, Washington, D. C. (for United States, as *amicus curiae*.)

(1 hour for argument.)

Tuesday, March 29, 2005

No. 04–480. *Metro-Goldwyn-Mayer Studios Inc., et al. v. Grokster, Ltd., et al.*

Certiorari to the C. A. 9th Circuit.

For petitioners: Donald B. Verrilli, Jr., Washington, D. C.; and Paul D. Clement, Acting Solicitor General, Department of Justice, Washington, D. C. (for United States, as *amicus curiae*.)

For respondents: Richard G. Taranto, Washington, D. C.

(1 hour for argument.)

No. 04–277. *National Cable & Telecommunications Association, et al. v. Brand X Internet Services, et al.*; and

No. 04–281. *Federal Communications Commission and United States v. Brand X Internet Services, et al.*

Certiorari to the C. A. 9th Circuit.

For petitioners in 04–277: Paul T. Cappuccio, New York, N. Y.

For petitioners in 04–281: Thomas G. Hungar, Deputy Solicitor General, Department of Justice, Washington, D. C.

For respondents: Thomas C. Goldstein, Washington, D. C.

(Consolidated—1 hour for argument.)

Wednesday, March 30, 2005

No. 04–495. *Reginald A. Wilkinson, Director, Ohio Department of Rehabilitation and Correction, et al. v. Charles E. Austin, et al.*

Certiorari to the C. A. 6th Circuit.

For petitioners: James M. Petro, Attorney General, Columbus, Ohio; and Deanne E. Maynard, Assistant to the Solicitor General, Department of Justice, Washington, D. C. (for United States, as *amicus curiae*.)

For respondents: Jules Lobel, Pittsburgh, Pa.

(1 hour for argument.)
